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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

CUSTODIA BANK, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Number: 22-cv-00125-SWS
)	
FEDERAL RESERVE BOARD OF)	
GOVERNORS and FEDERAL RESERVE)	
BANK OF KANSAS CITY,)	
)	
Defendants.)	

**PLAINTIFF CUSTODIA BANK, INC.’S
 UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES IN ITS REPLY BRIEF IN SUPPORT OF
 ITS MOTION ON THE FEDERAL RESERVE BANK OF KANSAS CITY’S UNJUSTIFIED INVOCATION
 OF THE DELIBERATIVE PROCESS PRIVILEGE**

Plaintiff Custodia Bank, Inc. (“Custodia”) respectfully submits this unopposed motion for leave to file a Reply Brief in support of its Motion on the Federal Reserve Bank of Kansas City’s Unjustified Invocation of the Deliberative Process Privilege (the “Reply”) that is no longer than 11 pages in length. In support of its motion, Custodia states as follows:

1. On October 24, 2023, Custodia filed its Motion on the Federal Reserve Bank of Kansas City’s Unjustified Invocation of the Deliberative Process Privilege (the “Opening Brief”). (ECF No. 194.) On November 7, 2023, Defendants filed their respective oppositions to Custodia’s motion (the “Oppositions”). (ECF Nos. 205, 207.) On November 7, 2023, the Court granted the

Federal Reserve Board of Governor's unopposed motion for leave to file its opposition in excess pages. (ECF No. 206.)

2. The Oppositions, which together total 23 pages and attach nine exhibits and a declaration (ECF Nos. 205-1 through 205-9, 207-1), respectively raise numerous, distinct, and complex issues of law regarding Defendants' invocation of the deliberative process privilege that have not yet been addressed in Custodia's Opening Brief. Specifically, each brief cites extra-circuit authority to which Custodia has not yet had an opportunity to respond. (*See, e.g.*, ECF Nos. 205 at 5–6, 207 at 7–8).

3. Pursuant to Local Rule 7.1(b)(1)(D), Custodia's Reply to both Oppositions is limited to no more than five pages.

4. In order to fully brief the Court on the relevant issues, Custodia requests permission to file a single Reply brief to both Oppositions that is no longer than eleven pages.

5. Counsel for Custodia has met and conferred with Defendants' counsel regarding the requested page limits, and Defendants' counsel has consented to the requested relief.

WHEREFORE, Custodia respectfully moves the Court for leave to file its Reply of no more than eleven pages.

DATED this 15th day of November, 2023.

CUSTODIA BANK, INC., Plaintiff

By: /s/ Scott E. Ortiz
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served this day of November 15, 2023, addressed to:

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